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Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 EB-07 L-03 CIAE-00 INR-07
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TO USDOC WASHDC
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USDOC FOR DIBA: DS GILPATRICK; ATHENS FOR RTDO

E.O. 11652: N/A
TAGS: BDIS SY
SUBJ: MISADVENTURES OF JAMES COMYNS (CONTINUED)

REF: (A) DACCA 5530 (NOTAL), (B) DAMASCUS 4949 (NOTAL)

1. NADIM IBRAHIM, D/G OF SARG'S GENERAL ESTABLISHMENT FOR CEREAL TRADE AND PROCESSING, CALLED EMBASSY COMMERCIAL OFFICERS TO HIS OFFICE DECEMBER 6 TO REQUEST USG ASSISTANCE IN BRINGING TO BOOK US BUSINESSMAN JAMES COMYNS FOR ALLEGED NON-FULFILLMENT OF CONTRACTS. CONTRACTS INVOLVE CEREALS ESTABLISHMENT PURCHASES FROM COMYNS OF 5000 BALES OF JUTE BAGS AND 625 TONS (6250 10X12M SHEETS) OF CANVAS TARPAULINS. MANUFACTURER OF BOTH ITEMS IS BANGLADESH JUTE MILLS CORPORATION (REFTELS).

2. CONTRACTS SIGNED IN APRIL, 1976, BUT GOODS HAVE NOT BEEN DELIVERED. A COMYNS ASSOCIATE NAMED MCLAUGHLIN TURNED UP IN DAMASCUS OCTOBER 19/20 AND INFORMED COMMERCIAL OFFICER THAT JUTE BAGS WERE ABOARD GREEK SHIP "M/S ERNINI PATERA" IN LATAAKIA HARBOR. OWING TO CONGESTED PORT CONDITIONS, SHIP WAS SUBJECT TO HEAVY DEMURRAGE CHARGES; MCLAUGHLIN SOUGHT SARG PERMISSION FOR PRIORITY UNLOADING. MCLAUGHLIN VISITED CEREALS ESTABLISH-MENT BUT DID NOT REPORT BACK TO EMBASSY. ACCORDING TO
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IBRAHIM, CEREALS ESTABLISHMENT QUICKLY SECURED PERMISSION FROM MINISTER OF ECONOMY FOR PRIORITY UNLOADING OF "ERNINI

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PATERA", BUT SHIP IN MEANTIME SAILED WITHOUT DISCHARGING
CARGO OF JUTE BAGS. IBRAHIM ADDED THAT HIS OFFICE RECENTLY
LEARNED SHIP IS PRESENTLY IN PIRAEUS WITH NO JUTE ON BOARD
AND NO PLAN TO RETURN TO SYRIA.

3. TARPAULIN CONTRACT CALLED FOR QUICKEST DELIVERY.
ACCORDING TO SHIPPING DOCUMENTS TARPAULINS (AS WELL AS
JUTE BAGS) WERE TO HAVE BEEN SHIPPED ON PANAMANIAN-FLAG
"SEAMASTER II", CHARTERED BY COMYNS THROUGH GEMINI SHIPPING
INC., NEW YORK. CEREALS ESTABLISHMENT HAS BEEN INFORMED
BY GIMINI THAT COMYNS CANCELLED HIS CHARTER AND THAT SHIP
WAS PRESENTLY ON HONG KONG-CAPETOWN-LAGOS RUN
WITH NO SYRIA-BOUND CARGO. RECEIPT OF THIS MESSAGE OCCASIONED
IBRAHIM TO CALL IN EMBOFF.

4. SYRIAN ANGER AT NON-DELIVERANCE IS INTENSIFIED BY FACT
THAT COMYNS HAS CASHED L/C'S COVERING THE CONTRACTS WITH
WHAT SYRIANS BELIEVE ARE FALSE DOCUMENTS. BOTH L/C'S
ARE ON CHASE MANHATTAN BANK, NEW YORK (JUTE BAGS:
NO. E W997782; VALUE: 1,674,000 DOLLARS; TARPAULINS:
NO. W998161; VALUE: 1,103,750 DOLLARS). COMYNS
ALLEGEDLY CASHED L/CS BASED ON SHIPPING DOCUMENTS
(WHICH IBRAHIM SHOWED TO EMBOFF) CLAIMING GOODS HAD
BEEN SHIPPED ON "SEAMASTER II" FROM BANGLADESH.
BILL OF LADING SIGNED BY "MOHIUDDIN BISWAS/MADHUMAH
SHIPPING AGENCIES AS AGENTS FOR GEMINI SHIPPING INC./
KHULNA 7/29/76 (MB)."

5. CEREALS ESTABLISHMENT IS SYRIAN GOVERNMENT AGENCY FOR
PRODUCTION OF FLOUR AND IMPORT/EXPORT OF WHEAT AND CERTAIN
OTHER AGRICULTURAL COMMODITIES. JUTE BAGGING WAS INTENDED
FOR SALE TO SYRIAN FARMERS TO BAG AND SHIP GRAIN; TARPAULINS
INTENDED FOR COVERING GRAIN STORED OUTDOORS (SYRIA HAS
SERIOUS SHORTAGE OF SILOS). WINTER RAINS HAVE ALREADY
BEGUN HERE; FAILURE OF COMYNS TO DELIVER TARPAULINS
HAS RESULTED IN SHORTAGE OF COVERING MATERIAL TO PROTECT
GRAIN STOCKS. IBRAHIM POINTED OUT THAT CONTRACTS WITH COMYNS
WERE THE FIRST HIS AGENCY HAD SIGNED WITH/US FIRM SINCE
RESUMPTION OF DIPLOMATIC RELATIONS IN JUNE, 1974. SURELY,
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HE ADDED, NOT ALL AMERICAN FIRMS BEHAVE SO BADLY.

6. AS USDOC IS AWARE, COMYNS HAS A HISTORY OF MURKY AND
ABORTIVE DEALS IN SYRIA. EMBASSY HAS THICK DOSSIER OF
HIS APPROACHES TO MINISTRIES OF DEFENSE AND
COMMUNICATIONS FOR UNCONSUMATED SALES OF
CATERPILLARS AND CONTRACTS FOR ROAD CONSTRUCTION.
DURING COMYNS LAST VISIT TO SYRIA (SEPTEMBER 3-4, 1976)
HIS FORMER AGENT HERE HAD HIM ARRESTED AT AIRPORT AND
JAILED FOR ALLEGED NON-PAYMENT OF FEES AND COMMISSIONS;

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A SYRIAN LAWYER GOT COMYNS SPRUNG AND CHARGES DROPPED
THE NEXT DAY. CEREALS ESTABLISHMENT SUSPICIONS OF
COMYNS' ALLEGED DOUBLE-DEALING AND CRIMINAL MISREPRESENTATION
ARE, HOWEVER, MOST SERIOUS CHARGES TO DATE AGAINST HIS
REPUTATION HERE.

7. ACTION REQUESTED: USDOC TO FOLLOW UP ON COMYNS AND
LEARN HIS INTENTIONS WITH RESPECT TO JUTE AND TARPAULIN
CONTRACTS WITH SYRIA. (EMBASSY WILL THEN INFORM CEREALS
ESTABLISHMENT; ACCORDING TO IBRAHIM, COMYNS HAS NOT
RESPONDED TO HIS TELEXES REQUESTING CLARIFICATION
OF SHIPMENTS TO SYRIA). WE WOULD APPRECIATE AS WELL
DACCA READING OF THESE COMYNS DEALS FROM ITS END, IN
ADDITION TO USEFUL INFORMATION IN REFTEL.

8. COMYNS ADDRESS: COMYNS BROTHERS CO., 91 WHEATLEY ROAD,
OLD WESTBURY, NEW YORK 11568, TEL: 516/626-2984. COMYNS
PRINCIPAL ASSOCIATE IN CONTRACTS IS RAYMOND P. GLYNN,
PRESIDENT, TRANS INTERNATIONAL PARTICIPANTS, INC., 25 SO.
SERVICE ROAD, JERICO, NEW YORK 11753; TEL: 516/997-5995;
HOME: 77 HICKORY LANE, LEVITTOWN, NEW YORK; TEL: 516/
796-0388.
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